

**UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS**

)	
)	
CITY OF BOSTON)	
INSPECTIONAL SERVICES)	
DEPARTMENT)	
Plaintiff,)	
v.)	Civil Action No. 20- 11796
)	
CATHERINE LEE, AS TRUSTEE)	
OF THE FUN SEN LEE TRUST AND)	
ESTHER ZEE LEE, AS TRUSTEE)	
LEE FAMILY TRUST)	
)	
Defendants.)	
)	

**DEFENDANT’S MOTION TO RECONSIDER THE APPOINTMENT OF A RECEIVER
PURSUANT TO M.R. CIVIL PROCEDURE RULE 60b**

NOW COMES the Defendant, Catherine Lee, as Trustee of the Fun Sen Lee Trust, (hereinafter “Defendant”), pursuant to M.R. Civil Procedure Rule 60b moves this Honorable Court to reconsider its appointment of a receiver. This Motion further incorporates the attached Defendant’s Motion to Dismiss. Under Rule 60b the court may “relieve a party or his legal representative from a final judgment, order, or proceeding for the following reasons: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered evidence which by due diligence could not have been discovered....” In this case, new evidence was discovered and admitted by the Receiver that the Defendant Catherine Lee, as Trustee of the Fun Sen Lee Trust was a nullity due to the automatic Trust termination in 2008. See Exhibit B of the attached Motion To Dismiss. Denying this Motion will prejudice the true owners of 29-33 Edinboro Street, Boston MA. See attached Motion To Dismiss.

/s/ Mary K. Y. Lee

Mary K. Y. Lee (BBO #671592)

Mary K. Y. Lee PC

52 Temple Place, Fourth Floor

Boston, MA 02111

(617)426-1689

866-221-2846(fax)

marykylee@marylee-law.com(email)

Dated: October 6, 2020

CERTIFICATE OF SERVICE

I, Mary K. Y. Lee, hereby certify that this document filed through the ECF system is sent electronically to all counsels, Edward Coburn, Esq., Neil R. Janlewicz, Jr. Esq., Stuart Schrier, Esq.

Dated: October 6, 2020

/s/ Mary K. Y. Lee